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The Honorable Donald H. Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Room 3E880
Washington, D.C. 20301-1000

Dear Mr. Secretary:

In August I traveled to Iraq for the fourteenth time since April 2003, leading a bi-partisan Congressional Delegation that held meetings with US Ambassador Zalmay Khalilzad, General George Casey, Iraqi President Jalal Talibani, and Prime Minister Nouri Al-Maliki.

Three weeks ago my Subcommittee held a three day hearing on Iraq with testimony from thirteen witnesses, including US Defense and State Department officials, US counter-insurgency and counter-terrorism experts, and Iraqi representatives of the main political groups in Iraq. The purpose of the Congressional Delegation and hearing was to conduct oversight, and to assess the security situation and political developments in Iraq.

When I traveled to Iraq in July for my thirteenth visit I urged the Iraqi political

leadership to take decisive control of their country and turn their words of good intent into actions to end the violence and achieve national reconciliation.

In my observations and recommendations letter after my thirteenth visit, I recommended that we “Be blunt with the Iraqi leadership that if they are unwilling to make peace among themselves the United States will have no choice but to draw down its troops and leave Iraq.”

During my last visit, I found Iraqi leaders were still not taking decisive action. Moreover, during our meetings in Baghdad and at our hearings, US officials questioned whether Iraqi leaders had the political will to do so.

I made it clear to Prime Minister Al-Maliki that while I continue to support our joint efforts to bring democracy and stability to Iraq, the American people have every right to expect Shia, Sunnis, and Kurds will resolve their differences, end the violence, and move to replace Coalition Forces with Iraqi Security Forces in police operations and combat patrolling.

The following observations and recommendations are based on my most recent visit and hearing held in the Subcommittee on National Security, Emerging Threats and International Relations on September 11, 13, and 15, entitled “Iraq: Democracy or Civil War.”

Observation: Sunnis comprise forty percent of Baghdad’s population but are not represented on city and neighborhood councils due to the Sunni boycott of the January 2005 elections. This under-representation is true in other provinces around the country.

Recommendation: Urge the Iraqi Government to hold provincial elections as soon as possible to provide true representation in Baghdad, and all other provinces.

Observation: The main cause of Iraq’s violence and instability is political, and requires a political solution. Iraq’s leaders are not demonstrating the will to compromise and reach agreements required to resolve the issues dividing them. This division is a principal cause of the insurgent and sectarian violence.

We recognize the complexity of national reconciliation. We also recognize Iraqis

have overcome many obstacles and made tremendous strides. Since June 2004, a number of significant deadlines were met: Iraq held elections for a transitional government; drafted a Constitution and approved it in a national referendum; elected a Council of Representatives (parliament); and formed a government under the new Constitution. There are no such deadlines in effect today to motivate Iraqi leaders to move forward with Prime Minister Al-Maliki's national reconciliation plan.

Recommendation: The United States should encourage Iraqi leaders to establish a timeline for each element of Prime Minister Maliki's national reconciliation plan. There should be dates certain for provincial elections, the rollback of de-Baathification, amnesty, allocation of oil revenues, and central government control of militias, or their disbandment.

Observation: The Iraqi Council of Representatives has appointed the Parliamentary Committee to review the Iraqi Constitution and make recommendations for amendments under the agreement brokered by US Ambassador Khalilzad on October 12, 2005 and embodied in Article 142 of the Constitution. Sunnis expect issues important to them will be addressed not only through national reconciliation and legislation, but also considered in a Constitutional revision process.

Recommendation: Urge the Parliamentary Committee to make constitutional amendment recommendations to the Council of Representatives as swiftly as possible so they can be considered, adopted, and submitted to the Iraqi people for referendum.

Observation: Iraqi leaders said they believe the insurgents and terrorists have better weapons than the Iraqi Security Forces, and if their forces were issued more lethal weapons, they could replace US forces in police operations and combat patrolling sooner.

Recommendation: Establish a joint Iraq-US program to examine whether the quality of weapons for the Iraqi Security Forces is adequate to combat the insurgents and foreign terrorists, and if not, upgrade those weapons.

Observation: Iran is interfering and negatively influencing developments in Iraq. Iran is financing militias, smuggling weapons and explosives used by insurgents against Coalition troops and Iraqi Security Forces, and is seeking to influence the Iraqi political process.

Recommendation: Request European Foreign Ministers, now negotiating with Iran on the nuclear issue, demand Iran halt its financing of militias and infiltration of weapons and agents in Iraq.

Observation: Small projects managed by US Agency for International Development (USAID) private sector partners such as Mercy Corps under the Community Action Program are very successful in achieving their objectives and creating jobs for Iraqis.

Recommendation: USAID should increase its funding of the Community Action Program's use of private sector partners to achieve development and to increase Iraqi employment.

Observation: Last week, there were only 4.7 hours a day of electricity in Baghdad, and 11.3 hours nationwide. Regretfully, electricity output was 6 percent below that of the same period in 2005.

Recommendation: The US Secretary of Energy should provide technical and management experts and greater financial aid to assist the Iraqi Government in boosting electricity production and distribution.

Observation: No flow meters measuring the amount of oil and gas produced and distributed are known to exist in Iraq since Saddam Hussein removed them to subvert the Oil-for-Food program and illegally export crude oil.

The theft of oil in Iraq is estimated in excess of 200,000 barrels of petroleum per day, which equates to \$100 million per day at a price of \$50 per barrel. The insurgency and militias are believed to be engaged in this theft and able to finance their anti-Coalition attacks and operations with money from stolen oil.

Recommendation: A comprehensive flow metering system, coupled with remote telemetry monitoring, should be installed at each producing well-site

and throughout the oil and gas distribution system in Iraq. Security for the system must be increased.

Observation: The Iraq Study Group, co-chaired by former Secretary of State James Baker and former Congressman Lee Hamilton, was established by Congress to provide a fresh assessment of Iraq and to make recommendations in a report to the President, the Congress, and the American people. On September 19, the Co-Chairs stated they will submit their report sometime after the upcoming November Congressional elections but no later than March 15, 2007.

There are substantial questions about the accuracy of Department of Defense statistics and evaluations, particularly regarding the numbers of Iraqi Security Force personnel present for duty and the capabilities of the units comprising the Iraqi Security Forces.

Recommendation: The Iraq Study Group should submit a preliminary report not later than December 1, 2006 that focuses on the Iraqi Security Forces, and submit its full report as soon thereafter as possible.

Observation: The Department of Defense use of stop-loss and the extension of duty tours in Iraq to meet force requirements are causing hardship to troops and their families. This action will ultimately have a detrimental effect on our recruitment and retention capabilities. To require units to stay a day longer in Iraq or be recalled from inactive duty is devastating for the families, and for the affected Soldiers and Marines. It will also undermine public support for our operations in Iraq.

Recommendation: Discontinue stop-loss and extension of duty tours in Iraq. Instead, adopt realistic plans for the number of troops needed in Iraq and for rotations based on those numbers.

Observation: The Department of Defense is locked in to defending a policy based on a number of serious mistakes. These mistakes have damaged the effort to achieve our goals in Iraq. Additionally, the Department has been reluctant to provide adequate statistics and readiness assessments for Iraqi Security Forces to Members of Congress and the Government Accountability Office.

Recommendation: Serious consideration should be given to bringing in a new team to lead the Department of Defense.

Recommendation: The Congressional Committees that authorize and appropriate funding of operations in Iraq should be more engaged in oversight.

Observation: Units in the Iraqi Security Force have combat experience ranging from three years (those that were formed in mid-2003) to six months. United States military commanders state some of these units are at a high state of readiness and are taking the lead in police operations and combat patrolling.

Recommendation: The President said as the Iraqis step up, we step down. That has not happened because we have not reached the total number of security forces needed to secure Iraq. Once we surpass the required number with Iraqi Security Forces, American and Coalition forces should begin to step down based on a predictable, firm timeline. We need to give the Iraqis a firm timeline so they know we will not be there forever and begin to take the difficult but necessary diplomatic and political steps required to unite their country and reduce the violence.

Observation: The 325,000 Iraqi Security Force level to be reached on December 31, 2006 is not adequate to provide internal security, nor is it adequate to counter any external security threat.

Experts testified at the Subcommittee's hearings that successful counter-insurgencies have historically required 20 security personnel per 1,000 of population, which in the case of Iraq's 26 million people would be 520,000 security personnel.

There are approximately 4 million Kurds who live in the provinces governed by the Kurdistan Regional Government. They are protected by approximately 70,000 Kurdish security forces (the Peshmerga) and there is not the insurgent and sectarian violence in Kurdistan that there is elsewhere in Iraq. Hence, the Kurdish population need not be included in this calculation.

The remaining 22 million people in the non-Kurdish area of Iraq require approximately 440,000 security personnel. Until the Iraqis establish a capable and

loyal force at this force level, stability will not be achieved, nor will Coalition forces be able to draw down.

Recommendation: Urge the Iraqi government in conjunction with the Multi-National Force-Iraq to increase as quickly as possible the size of the Iraqi Security Forces from the present planned strength of 325,000 to at least 440,000 security forces in the non-Kurdish areas of Iraq.

It is up to the Iraqis to take the political and military steps to end the violence among themselves and create stability. The United States and the Coalition can support the Iraqi effort, but it is the Iraqis that must fight and win the battle for their country.

We offer these observations and recommendations in the hope of moving Iraq toward the goals set out in the National Strategy for Victory in Iraq: “a democratic society at peace with its neighbors.”

As always, I would welcome the opportunity to discuss these matters with you more fully. If you have any questions or would like additional information on these observations and recommendations, please contact me at 202-225-5541, or one of my staff, Dr. R. Nicholas Palarino, Staff Director, or Mr. Robert Kelley, Chief Counsel, at 202-225-2528.

Sincerely,

Christopher Shays
Chairman

cc: Rep. Tom Davis
Rep. Henry Waxman
Rep. Kenny Marchant
Rep. Dennis Kucinich